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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/663,204	09/15/2003	Vipul Ved Prakash	6747P004	2360
8791 7590 10/09/2007 BLAKELY SOKOLOFF TAYLOR & ZAFMAN 1279 OAKMEAD PARKWAY SUNNYVALE, CA 94085-4040			EXAMINER HOANG, HIEU T	
			ART UNIT 2152	PAPER NUMBER
			MAIL DATE 10/09/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/663,204

Applicant(s)

PRAKASH, VIPUL VED

Examiner

Hieu T. Hoang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,3-7,9-13 and 15-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3-7, 9-13, 15-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09/15/2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This office action is in response to the communication filed on 09/13/2007.
2. Claims 19-25 are new.
3. Claims 2, 8, and 14 are canceled.
4. Claims 1, 3-7, 9-13, and 15-25 are pending.

### ***Response to Amendment***

1. The objections of the specification, the drawings and claims 1-19 have been withdrawn due to the amendment.
2. The 35 U.S.C. 101 rejection of claims 7-12 has been withdrawn due to the amendment.
3. The 35 U.S.C. 112 rejections of claims 1, 7 and 13, and 4, 10 and 16 have been withdrawn due to the amendment.

### ***Response to Arguments***

4. Applicant's arguments have been fully considered but they are not persuasive. The only main argument is presented in the first two paragraphs on page 3 of the Remarks wherein the applicant argues that the prior art Liu-Kirsch does not teach a database of registered electronic publications. The examiner respectfully traverses. For claims 1, 7, 13 are similar, only claim 1 will be discussed. First of all, although the specification recites that a publisher initiates the registering of a publication by sending the publication to a database (fig. 4), claim 1 does not recite who or which party

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registers the publications and how to carry out the registration process. Therefore, given broadest reasonable interpretation, the claim is read such that any party in the network initiates the storing or submits the publication for storing, wherein registered publications can be read as stored publications in a database, e.g. central database in fig. 1 of Kirsch. Furthermore, the claim does not recite what a registered publication actually means and/or any benefits of registering. Therefore, the black list and white list concept of storing emails in a database reads on “registered electronic publications”. Lastly, the specification recites assigning a unique ID to the publication to register that publication ([0018]) and using a rating or a score indicating a degree of likeliness that a message is unwanted ([0026]). This is exactly what Kirsch discloses (fig. 1, [0012], identifying a email using a unique combination of base address, final IP address, domain name and a digital signature, [0013], after identifying the email in a central database, a reputation rating is used to measure a degree of spam-likeness; and based on this rating, the email will or will not be delivered to the user’s inbox; this rating is submitted or registered by any users or party of the network, including network administrator and publishers). So, stored emails with ratings read on “registered electronic publications”.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

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the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 3-7, 9-13, and 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu (US 2005/0015455), further in view of Kirsch (US 2004/0177120).

7. For claim 1, Liu discloses a method to manage mass publication delivery, the method comprising:

- maintaining a database of registered electronic publications for a plurality of clients (fig. 1, data center 102 storing information on senders that are in the white list, black list, or unconfirmed, a white list containing information of senders is read as registered electronic publications);
- configuring a set of clients to query the database to determine if a publication received is registered, wherein the publication is from a content publisher and is addressed to at least one of the set of clients (fig. 2, steps 200-202, [0064], email client receives and sends a Check Sender Request to the data center 102 to determine if the sender is in a white list, the content publisher is just the email sender); and

Liu does not explicitly disclose:

- receiving input from a user to place one or more of the registered electronic publications on one of a subscribed and unsubscribed list;

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- delivering the publication to an inbox associated with the at least one of the set of clients if the publication is registered and is on the subscriber list.

However, Kirsch discloses:

- receiving input from a user to place one or more of the registered electronic publications on one of a subscribed and unsubscribed list ([0025] lines 4-10, user select black list or white list emails)
- delivering the publication to an inbox associated with the at least one of the set of clients if the publication is registered and is on the subscriber list (step 32, step 62, step 34, deliver the message if the sender is in the white list and that sender's reputation is good, which means that the sender has been registered as a trusted distributor by many other users).

Therefore, it would have been obvious for one skilled in the art at the time of the invention to combine the teachings of Liu and Kirsch to allow a user to check whether received emails are sent from a trusted source (Kirsch, abstract).

8. For claims 7 and 13, the claims are rejected for the same rationale as in claim 1.

Liu-Kirsch further discloses a computer readable medium or a memory storing instructions executed by a computer (Liu, fig. 1, data center is a computer with a CPU, a memory, and an operating system)

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9. For claims 3, 9, and 15, Liu-Kirsch discloses the invention substantially as in claims 2, 8, and 14. Liu-Kirsch further discloses the delivering includes delivering if the publication has not been placed on the unsubscribed list (Kirsch, [0025], fig. 2 steps 32-34).

10. For claims 4, 10, and 16, Liu-Kirsch discloses the invention substantially as in claims 1, 7, and 13. Liu-Kirsch further discloses configuring each client to perform an authentication operation to authenticate the content publisher; and to deliver the publication if the content publisher has been authenticated (Kirsch, [0035], authentication of a sender by using a signature in conjunction with some other information, Liu, fig. 2, step 200-202, emails from a sender is passed on to a server for inspection).

11. For claims 5, 11, and 17, Liu-Kirsch discloses the invention substantially as in claims 4, 10, and 16. Liu-Kirsch further discloses the authentication operation comprises sending authentication information received from the content publisher to the server for verification of the authentication information (Liu, fig. 2, step 200-202, emails from a sender is passed on to a server for inspection, fig. 8 step 802, receive authorization code, Kirsch, [0035], authentication of a sender by using a signature combined with some other information).

12. For claims 6, 12, and 18, Liu-Kirsch discloses the invention substantially as in claims 1, 7, and 18. Liu-Kirsch further discloses the publication includes a mass email publication (Kirsch, [0058], bulk email senders' information or signatures may be stored in the central database 66 of fig. 1).

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 19-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Kirsch.

13. For claim 19, Kirsch discloses a method to filter electronic publication, the method comprising:

receiving at a client an electronic publication from a content publisher; and

determining if the content publisher has registered the publication at a system for a community of users ([0012], [0013], fig. 2, step 62, determine a reputation rating of a stored email the true sender using a digital signature of the email (maybe in combination with other elements)), wherein the system maintains a database of registered publications (fig. 1, central database for storing emails), a subscribed list



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comprising publications for which a subscription is unblocked and thus allowed to reach an inbox of the client, and an unsubscribed list comprising publications for which a subscription is blocked and are to be deleted instead of being placed in the inbox of the client ([0025], white list means accept, black list means block or delete) .

14. For claim 20, Kirsch further discloses the determining if the content publisher has registered the publication at the system comprises: computing a signature of the publication; and sending the signature to the system to check if a signature corresponds to a registered publication ([0012]).

15. For claim 21, Kirsch further discloses the system is remote from the client (fig. 1, central database in a third party server).

16. For claim 22, Kirsch further discloses placing the publication in an inbox of the client if the publication is registered at the system and is on the subscribed list (fig. 2 step 34).

17. For claim 23, Kirsch discloses a method to manage mass publication deliver, the method comprising:

maintaining a database of registered publications (fig. 1, central database 66 storing emails with ratings);

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receiving a request from a client to determine if a publication identified in the request is registered (fig. 2 step 60);

checking if the publication is registered (fig. 2 step 62); and

sending a result of the checking to the client (fig. 2 step 34).

18. For claim 24, Kirsch further discloses receiving input from a plurality of separate clients; and computing an index for each registered publication based on the input, wherein the index provides an indication of how many users in a community of users have indicated that the registered publication is unwanted ([0013], the rating is based on multiple users' inputs).

19. For claim 25, Kirsch further discloses sending the index to the client ([0013]).

### ***Conclusion***

20. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

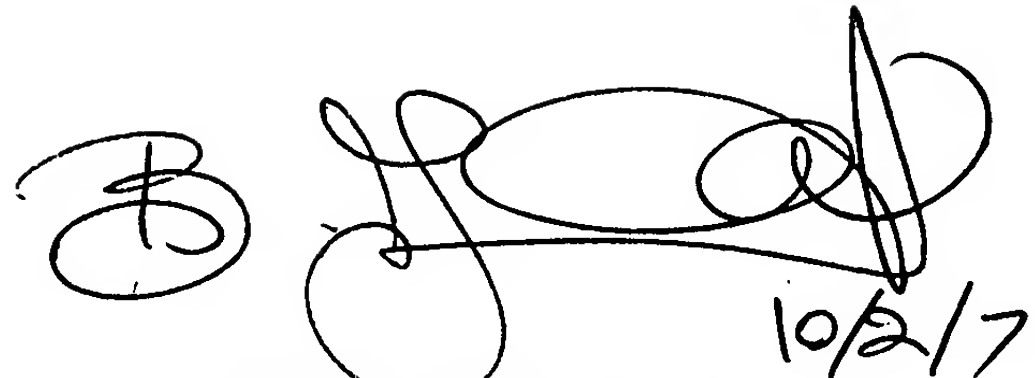
21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hieu T. Hoang whose telephone number is 571-270-1253. The examiner can normally be reached on Monday-Thursday, 8 a.m.-5 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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HH

  
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SUPERVISORY PATENT EXAMINER